



Official Website of
High Court of Karnataka

[← back](#)

Status: **Pending**

Case Number: **WP 1154/2021**
(KAHC010029022021)

Classification: **GM RES**

Date of Filing: **19/01/2021**
12:05:56

Petitioner: **KANIKA GULATI**

Pet. Advocate: **ROHAN**
KOTHARI

Respondent: **STATE**
GOVERNMENT OF
KARNATAKA

Resp. Advocate:

Filing No.: **WP 1140/2021**

Judge: **RITU RAJ AWASTHI(CJ)**
AND S R.KRISHNA
KUMAR Presided by **CJ ,SRKKJ**

Last Posted For: **LIST OF**
APPLICATIONS

Last Date of Action:
18/04/2022

Last Action Taken:
ADJOURNED

Next Hearing Date:

Daily Orders: WP 1154/2021

1	RITU RAJ AWASTHI(CJ) AND S R.KRISHNA KUMAR CJ ,SRKKJ	<u>18/04/2022</u>
---	--	-------------------

	<p>ORDER ON I.A.No.9/2021 IN W.P.No.508/2021</p> <p>I.A.9/2021 is filed by the State seeking permission to implement the provisions of Section 5 of the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020 and the Rules framed thereunder by modifying the order dated 20.01.2021 passed by this Court in the above petitions.</p> <p>Heard the learned Advocate General as well as learned counsel for the petitioner and perused the objections filed in W.P.NO.9501/2021.</p> <p>Learned Advocate General submits that the order dated 20.01.2021 was passed at the time when the Karnataka Prevention of Slaughter and Preservation of Cattle (Transportation of Cattle) Rules, 2021 were not framed. It is submitted that the undertaking was given when the enactment was not made. Now subsequently, the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020 was enacted with effect from 15.02.2021. Thereafter, by Notification dated 24.05.2021 published in the Gazette on 25.05.2021, the Karnataka Prevention of Slaughter and Preservation of Cattle (Transportation of Cattle) Rules, 2021, are framed referable to the Rules contemplated under the proviso to Section 5 of the Act. Now the State Government wants the permission of the Court to implement the provisions of Section 5 of the Act and seeks an indulgence of this Hon'ble Court to modify the order dated 20.01.2021.</p> <p>Learned counsel for the petitioner submits that the petitioner has challenged the validity of the Act itself and the competence to enact any such Act, the implementation of the Act and its Rules would cause great prejudice to certain section of the Society.</p> <p>We have considered the submissions of both the parties.</p> <p>The validity of the Act is under challenge which is under consideration before this Court in the present petitions. Since the Rules have been framed, as such the order dated 20.01.2021 is modified to the extent that the State Government is permitted to implement the provisions of Section 5 of the Act and the Rules made thereunder. However, the same would be subject to final decision in the writ petitions.</p> <p>I.A.9/2021 is disposed of accordingly.</p> <p>In view of disposal of I.A.9/2021, I.A.1/2022 also stands disposed of.</p> <p>Office objections, if any, are to be complied with by the next date of hearing.</p>	
2	RITU RAJ AWASTHI(CJ) AND SACHIN SHANKAR MAGADUM	<u>16/12/2021</u>
	<p>Heard.</p> <p>Learned Advocate General submits that I.A.No.9/2021 dated 11.11.2021 has been filed seeking permission to implement the provisions of Section 5 of the Karnataka Prevention of Slaughter and Preservation of Cattle Act, 2020 and modification of the order dated 20.01.2021.</p> <p>Learned counsel for the petitioners submits that copy of the said application has not been served.</p> <p>Let the copy of the application be served on all the petitioners\ counsel who may file their objections if any, within three weeks.</p> <p>List on 16.02.2022.</p> <p>Learned Senior counsel requests this Court to extend the interim order granted earlier. However, on perusal of the order dated 08.04.2021, this Court would find that interim order is extended until further orders.</p>	
3	RITU RAJ AWASTHI(CJ) AND SACHIN SHANKAR MAGADUM	<u>15/11/2021</u>
	<p>WP NO. 508/2021 Connected Cases: WP NO. 1018/2021, WP NO. 1138/2021, WP NO. 1154/2021, WP NO. 1695/2021, WP NO. 1815/2021, WP NO. 1861/2021, WP NO. 4224/2021, WP NO. 9501/2021, WP NO. 13118/2021</p> <p>It is informed that the matter can be heard finally.</p> <p>List on 16.12.2021 for preliminary hearing in '\B\ Group.</p> <p>The names of the counsel appearing for the intervenors shall also be shown in the cause list.</p>	

4	SATISH CHANDRA SHARMA(Ag.CJ) AND SACHIN SHANKAR MAGADUM	<u>08/09/2021</u>
	<p>Sri B.K. Arun, learned Counsel has filed applications for impleadment i.e. I.A. Nos.7/2021 and 8/2021.</p> <p>The applications are allowed. The learned Counsel is permitted to appear in the matter.</p> <p>At the joint request of learned Counsel for the parties, list on 15.11.2021.</p>	
5	ABHAY SHREENIWAS OKA (CJ) AND SURAJ GOVINDARAJ	<u>26/08/2021</u>
	<p>WP NO. 508/2021 Connected Cases: WP NO. 1018/2021, WP NO. 1138/2021, WP NO. 1154/2021, WP NO. 1695/2021, WP NO. 1815/2021, WP NO. 1861/2021, WP NO. 4224/2021, WP NO. 9501/2021, WP NO. 13118/2021</p> <p>These petitions shall be listed on 8th September, 2021 under the caption of 'Orders' for fixing a date for hearing.</p>	
6	ABHAY SHREENIWAS OKA (CJ) AND N S SANJAY GOWDA	<u>09/08/2021</u>
	<p>WP NO. 508/2021 Connected Cases: WP NO. 1018/2021, WP NO. 1138/2021, WP NO. 1154/2021, WP NO. 1695/2021, WP NO. 1815/2021, WP NO. 1861/2021, WP NO. 4224/2021, WP NO. 9501/2021</p> <p>The learned Additional Government Advocate states that the State Government will rely upon the statement of objections filed in W.P.1695 of 2021 as a common statement of objections in all the petitions in this group. The learned counsel appearing for the petitioner in W.P. No.9501 of 2021 submits that the sixth respondent was made a party as the petitioner wanted to rely upon a report submitted by the said respondent. He submitted that as the report is already placed on record, he may be permitted to delete the name of the 6th respondent. Accordingly, the name of the sixth respondent stands deleted.</p> <p>List the petitions for Final Disposal on 26th August, at 2.30 p.m.</p>	
7	ABHAY SHREENIWAS OKA (CJ) AND SURAJ GOVINDARAJ	<u>16/07/2021</u>
	<p>To avoid any controversy, we direct the learned Additional Government Advocate to provide hard copies of the Statement of objections of the State Government to the learned counsel appearing for the petitioners as well as to the learned counsel appearing for the interveners/applicants in Interlocutory Applications. The counsel for the petitioners in each case shall serve copies of the petitions on the advocates representing the applicants in Interlocutory Applications filed in respective petitions.</p> <p>In W.P.No.508/2021, the written submissions are tendered by the petitioners. The counsel for the petitioner will serve the copies of the written submissions to all the concerned parties.</p> <p>For fixing the date for hearing, list the petitions on 9th August 2021 at 10.30 a.m. for 'Orders'.</p>	
8	ABHAY SHREENIWAS OKA (CJ) AND SURAJ GOVINDARAJ	<u>14/06/2021</u>

List these group of petitions on 16th July 2021 at 2.30 p.m.
As ordered on the last date, all those who have applied for intervention will be heard on the merits of the petitions at the time of final hearing. However, copies of the writ petitions and copies of the statement of objections shall be served upon the counsel representing the third party interveners. Even the Advocates representing the applicants shall serve copies of their applications to all the parties.

9	ABHAY SHREENIWAS OKA (CJ) AND SURAJ GOVINDARAJ	<u>09/06/2021</u>
<p>ORDER ON I.A. No.1 OF 2021 IN W.P No.508/2021 The applicant will be permitted to canvass the submissions on the merits of the petition at the time of final hearing. With this direction, the application is disposed of.</p> <p>ORDER ON I.A. No.2 OF 2021 IN W.P No.508/2021 The applicant will be permitted to canvass the submissions on the merits of the petition at the time of final hearing. With this direction, the application is disposed of.</p> <p>ORDER ON I.A. No.3 OF 2021 IN W.P No.508/2021 The applicants will be permitted to canvass the submissions on the merits of the petition at the time of final hearing. With this direction, the application is disposed of.</p> <p>ORDER ON I.A. No.4 OF 2021 IN W.P No.508/2021 The applicant will be permitted to canvass the submissions on the merits of the petition at the time of final hearing. With this direction, the application is disposed of.</p> <p>ORDER ON I.A. No.5 OF 2021 IN W.P No.508/2021 The applicant will be permitted to canvass the submissions on the merits of the petition at the time of final hearing. With this direction, the application is disposed of.</p> <p>ORDER ON I.A. No.1 OF 2021 IN W.P No.1018/2021 The application is allowed. The petitioner to file an amended copy of the petition within one week. For physically carrying out the amendment, we grant time of eight weeks from today.</p> <p>ORDER ON I.A. No.1 OF 2021 IN W.P No.1138/2021 I.A No.1 of 2021 has been filed by Bhagawan Mahaveer Gaushala Trust. We direct that the applicant will be permitted to address the Court at the time of final hearing. The application is disposed of.</p> <p>ORDER ON I.A. No.1 OF 2021 IN W.P No.1695/2021 In terms of the earlier order, the amended petition has been already filed. Therefore, for statistical purposes, the application is allowed.</p> <p>ORDER IN MAIN PETITIONS All the petitions shall be listed on Monday (14th June 2021) for fixing a date for hearing. Since there are large number of petitions filed challenging the same legislation, the members of the Bar who are representing the petitioners shall endeavor to file a common compilation of the decisions relied upon by them and provide copies to the State Government as well as to the third party applicants. It will be appropriate if the petitioners file, in advance, a brief summary of the submissions which they are likely to make.</p>		

